North Central Regional Transit District (NCRTD)

Resolution 2015-21

Adoption of the FY16 Annual Service Plan submitted by the City of Santa Fe and Los Alamos County Providing for Specific Regional Routes Funded by NCRTD Regional Transit Gross Receipts Tax (RTGRT)

WHEREAS, the NCRTD was created through legislative enactment (chapter 65, signed March 21, 2003); and,

WHEREAS, the NCRTD is a sub-division of the State of New Mexico; and,

WHEREAS, the NCRTD was approved and certified by the New Mexico Department of Transportation Commission September 14, 2004; and,

WHEREAS, the NCRTD was created by agreement between the City of Española , Los Alamos County, Pojoaque Pueblo, Rio Arriba County, San Ildefonso Pueblo, San Juan Pueblo, Santa Clara Pueblo, the City of Santa Fe, Santa Fe County, Taos County and Tesuque Pueblo; and,

WHEREAS, the NCRTD Financial Policies Adopted by Board Resolution No. 2011-10 on November 4, 2011provide a definition of regional services which if approved by the Board of Directors and if recurring funds are available may be funded by the allocation of NCRTD RTGRT; and,

WHEREAS, the NCRTD Financial Policies require that service plans from member entities that provide transit services and which have routes that will expand existing regional routes or add new regional routes must submit their Transit Service Plan and the proposed regional routes to be funded by NCRTD RTGRT to the Board of Directors for approval; and,

WHEREAS, the City of Santa Fe and Los Alamos County operate their own transit systems and have had prior review and approval of the regional service routes contained in their transit service plans for FY 10, 11, 12, 13, 14 and 15 ; and,

WHEREAS, the NCRTD Board of Directors approved on March 4, 2011 the standardization of the cost allocation methodology which is a nationally recognized method for

determining administrative and operating costs associated with the delivery of transit routes and which is utilized by the City of Santa Fe, Los Alamos County and the NCRTD; and,

WHEREAS, the NCRTD Board of Directors adopted Resolution No. 2013-04 on March 1, 2013 amending its Financial Policies to incorporate a formula for the annual allocation of RTGRT for existing regional services it approves on an annual basis; and

WHEREAS, the NCRTD Board of Directors has adopted a Fiscal Year 2016 budget utilizing the annual allocation formula for the apportionment of NCRTD RTGRT in the amount of $966,490 for existing City of Santa Fe provided routes that have been deemed to meet the definition of regional services and which are incorporated into adopted City of Santa Fe Resolution No. 2015-59 Regional Service Transit Plan; and,

WHEREAS, the NCRTD Board of Directors has also allocated in its Fiscal Year 2016 budget utilizing the annual allocation formula for the apportionment of NCRTD RTGRT in the amount of $1,380,700 for existing Los Alamos County provided routes that have been deemed to meet the definition of regional services, except that the District will only reimburse Los Alamos County for the percentage of late night (7 PM to 9 PM) dial-a-ride services that are associated with connecting and utilizing NM Park and Ride and which are incorporated into the Los Alamos County adopted 2016 Service Transit Plan; and,

WHEREAS, the NCRTD Board of Directors requires that Atomic City Transit and Santa Fe Trails whom are recipients of regional services funding provide acknowledgement and notice to their patrons utilizing the regional transit routes and services funded with NCRTD RTGRT ongoing prominent signage of the source of funding for these services in a fashion acceptable to the NCRTD Executive Director or his Designee; and,

WHEREAS, the NCRTD Board of Directors acknowledges adopted Santa Fe County Resolution No. 2015-76 and their conveyance letter submitting their recommended transit service plan to the North Central Regional Transit District which is inclusive of existing NCRTD provided routes servicing Santa Fe County; and,

WHEREAS, the NCRTD's 2014 adopted Five (5) Year Service Plan identifies routes to be provided by the District and future routes to be provided when sufficient recurring revenues are available; and,

WHEREAS, the NCRTD Board adopted resolution No. 2009-13 provides the standards and practices for the implementation of new service routes to be operated by the District; and,

WHEREAS, the NCRTD Board of Directors in adoption of its Fiscal Year 2016 budget has provided funding from various revenue sources for the provision of and continuation of all existing routes and trial routes provided by the NCRTD serving the Counties of Santa Fe, Rio Arriba, Taos and Los Alamos; and,

NOW THEREFORE BE IT RESOLVED BY THE NCRTD THAT THE BOARD OF DIRECTORS APPROVES THE REGIONAL SERVICE PLANS FOR FISCAL YEAR 2016 AS SUBMITTED BY THE CITY OF SANTA FE AND LOS ALAMOS COUNTY AND ACKNOWLEDGES THE TRANSIT SERVICE PLAN AND REQUESTS SUBMITTED BY SANTA FE COUNTY.

PASSED, APPROVED, AND ADOPTED BY THE GOVERNING BODY OF THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT ON THIS 7TH DAY OF AUGUST, 2015.

Daniel Barrone, Chairman

Approved as to form:

Peter Dwyer, Counsel

Henry Roybal
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3

Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

May 28, 2015

Anthony J. Mortillaro, Executive Director
North Central Regional Transit District
1327 N. Riverside Drive
Espanola, NM 87532

Dear Mr.Mortillaro:

Attached is the May 26, 2016, Santa Fe County Board of Commissioners (BCC) Resolution that adopts the FY 2016 Santa Fe County Regional Transit Plan (RTP) and instructs staff to forward that plan and additional comments listed below to the North Central Regional Transit District (NCRTD). Attached are Resolution 2015-76, a map of the BCC proposed alignment for the La Cienega pilot route, and MOA 2015-0354 County funding for the Mountain Trail.

Please include the FY 2016 Santa Fe County RTP, which includes the La Ceinega and Mountain Trail pilot routes, in the NCRTD FY 2016 budget. Staff received comments 1-3 as part of the process for preparing the RTP. Comments 4-7 are concerns noted by the BCC at their May 26 meeting. Please include the comments listed below in the planning and implementation of NCRTD transit services in Santa Fe County.

1) There is a need for commuter service at morning and evening peak times for the south NM14 area. The current service provided by Route 270 Turquoise Trail has service only between the Adult Detention Center and the Santa Fe Place Mall. It is requested NCRTD extend the transit service south on NM 14 at peak hours and have timed connections so residents in the NM14 area south of the Detention Center to Cerrillos/Madrid would be be able to use the transit service to commute to and from work.

2) It was noted that transit service is not currently availabe to residents in the County's east central area that includes Canoncito and Glorieta. Transit service needs in this area include users of the Senior Center and Meals On Wheels program as well as area residents who commute to Santa Fe for work. It is requested that NCRTD include this area for future service consideration as part of the NCRTD Long Range Plan.

3) NCRTD consider a stop in La Cieneguilla for residents in that area for the proposed alignment of the Las Cienega pilot route.

4) The Commission noted that although the Mountain Trail (Ski Basin shuttle) pilot route has been referred to both as transportation and economic development for outdoor recreation tourism, the mountain is also important for cultural tourism. The mountain(s) have important cultural significance for the diverse groups of people who live in Santa Fe County. Documents that refer to the pilot route (route descriptions, brochures, advertisements) could incorporate this aspect of the pilot route.

5) The current service provided by Route 270 Turquoise Tail needs to modified to provide commuter service at morning and evening peak hours for residents in the south NM 14 area (see comment #1).

6) In reference to comment # 2, future transit service to the Canoncito/Glorieta area, Commissioners noted there is a possibility that Santa Fe County may have some land could be made available for use as a Park Ride lot in this area.

7) Commissioners proposed an alignment for the La Cienega pilot route that would have termini at Paseo Real and I-25 east frontage Road towards Santa Fe. The route would begin at Paseo Real, follow Paseo Real as it turns into CR 56, connect to CR 54, follow CR 54 to the La Cienega Entrada exit at I- 25 and continue northeast on the I-25 frontage road to Santa Fe. Another leg of the route would turn northeast at the CR 56/Los Pinos intersection, and follow Los Pinos as it loops around the racetrack area.

If you have any questions or concerns on the above please contact Ray Matthew, Transportation Planner, at 995-2775.

Sincerely,

Robert Griego, Planning Manager

Attachments: SFC Resolution 2015-76
Map of BCC proposed alignment for La Cienega pilot route
SFC MOA 2015-0354, SFC Mountain Trail Funding

SANTA FE COUNTY
RESOLUTION NO. 2015- 76

A RESOLUTION TO ADOPT THE SANTA FE COUNTY TRANSIT SERVICE PLAN FOR FY 2016 AND TO INSTRUCT STAFF TO SUBMIT THAT TRANSIT SERVICE PLAN TO THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT

SFC CLERK RECORDED 05/27/2015

WHEREAS, Santa Fe County Resolution 2003-108 states that multi-jurisdictional transportation systems would protect our environment and enhance energy efficiency, decrease congestion, decrease automobile accidents, reduce noise and air pollution and improve public health;

WHEREAS, the North Central Regional Transit District (NCRTD) was created by agreement of the City of Espanola, Los Alamos County, Pojoaque Pueblo, Rio Arriba County, San Ildefonso Pueblo, San Juan Pueblo, Santa Clara Pueblo, the City of Santa Fe, Santa Fe County (the County) and Tesuque Pueblo in 2004;

WHEREAS, Santa Fe County Ordinance 2008-14 which imposed a County Regional Transit Gross Receipts Tax of one eighth of one percent (.125%) states that "Revenue from the county regional transit gross receipts tax will be used for the management, construction or operation of a public transit system or for specific public transit projects or services pursuant to the Regional Transit District Act;

WHEREAS, the NCRTD considers Santa Fe County to be a critical participant in the regional transportation strategy and is willing to work closely with the County to assure that regional transportation needs are met and that the Rail Runner continues to be a well-used mode of public transportation;

WHEREAS, the 2010 Santa Fe County General Plan, the Sustainable Growth Management Plan, adopted by the Board of County Commissioners by Resolutions 2010-210 and 2010-225 states under Policy 33.3 "Coordinate with RTD and other entities to evaluate public transit routes and enhance existing transit services (both to existing areas and to areas of new development) to match population demands and future growth to provide an efficient alternative to personal vehicle use;"

WHEREAS, for FY 2015 the NCRTD funded various transportation routes within Santa Fe County contained in the FY 2015 regional transit plan submitted to the NCRTD on behalf of the County and the City of Santa Fe;

WHEREAS, the NCRTD adopted a 2014 Transit Service Plan Update which was a five year plan identifying new services and future services and the routes described in the FY 2016 Santa Fe County Regional Transit Service Plan are consistent with that five year plan;

WHEREAS, the NCRTD Board is requesting a FY2016 Santa Fe County Regional Transit Service Plan by June 4, of 2015 and this resolution is designed to respond to that request;

WHEREAS, Santa Fe County has considered the existing NCRTD Service Plan and the proposed NCRTD budget for FY2016 which indicates that there is sufficient funding to continue to provide service for all routes currently being funded by the regional gross receipts tax dollars and other federal grant money, including all of the existing routes in Santa Fe County; and

WHEREAS, the NCRTD FY 2016 budget proposes two new pilot routes, the La Cienega/Las Golondrinas route, and the Santa Fe Ski Basin (Mountain Trail) route;

WHEREAS, the Board of County Commissioners of Santa Fe County (BCC) desires for staff to submit to the NCRTD the Santa Fe County Regional Transit Plan attached hereto as Exhibit A, including all routes currently being served in the County as well as the two new pilot routes.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The BCC hereby adopts the FY 2016 Santa Fe County Regional Transit Plan attached hereto as Exhibit A;

2. The BCC hereby instructs staff to submit the FY 2016 Santa Fe County Regional Transit Plan to the NCRTD.

PASSED, APPROVED AND ADOPTED THIS 26th DAY OF MAY, 2015

SANTA FE BOARD OF COUNTY COMMISSIONERS

Robert A. Anaya, Chair

ATTEST:

Geraldine Salazar, Santa Fe County Clerk

APPROVED AS TO FORM:

Gregory S. Shaffer, County Attorney

SFC CLERK RECORDED 05/27/2015

BCC RESOLUTIONS
PAGES: 3

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

I Hereby Certify That This Instrument Was Filed for Record On The 27TH Day Of May, 2015 at 03:48:55 PM And Was Duly Recorded as Instrument # 1765422 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy _____ County Clerk, Santa Fe, NM

Exhibit A

Santa Fe County Transit Plan for FY 2016

SFC CLERK RECORDED 05/27/2015

ROUTES OPERATED AND FUNDED BY NCRTD IN SANTA FE COUNTY

ROUTES FUNDED BY NCRTD - OPERATED BY SANTA FE TRAILS:

- ✓ ROUTE 2 SHERIDAN ST. , CERRILOS RD, SANTA FE PLACE
- ✓ ROUTE 4 SHERIDAN ST., ST. FRANCIS, SANTA FE PLACE
- ✓ ROUTE 22 - IAIA/SFCC, SUPER WALMART, NM 599 RR STATION
- ✓ SANTA FE PICK-UP –SPECIALS , DOWNTOWN LOOP SHUTTLE

ROUTES FUNDED AND OPERATED BY NCRTD

- ✓ ROUTE 150 CHIMAYO
- ✓ ROUTE 160 SANTA CLARA
- ✓ ROUTE 200 ESPANOLA TO SANTA FE
- ✓ ROUTE 210 POJOAQUE –NAMBE TRIBAL
- ✓ ROUTE 220 TESUQUE TRIBAL
- ✓ ROUTE 230 SAN ILDEFONSO TRIBAL
- ✓ ROUTE 270 TURQUOISE TRAIL/NM599
- ✓ ROUTE 280 ELDORADO TO SANTA FE
- ✓ ROUTE 290 EDGEWOOD TO SANTA FE
- ✓ ROUTE 400 LOS ALAMOS TO POJOAQUE

NEW PILOT TRANSIT ROUTES IN SANTA FE COUNTY

- ✓ LA CIENEGA/LAS GOLONDRINAS ROUTE
- ✓ SANTA FE SKI BASIN (MOUNTAIN TRAIL)

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2015-59

INTRODUCED BY:

Councilor Patti Bushee

A RESOLUTION

ENDORSING THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT'S FY2016 BUDGET PROPOSAL, APPROVING THE FY2016 CITY OF SANTA FE REGIONAL TRANSIT PLAN, AND DIRECTING STAFF TO SUBMIT THE CITY OF SANTA FE REGIONAL TRANSIT PLAN FOR FY2016 TO THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT BOARD OF DIRECTORS FOR CONSIDERATION AND APPROVAL.

WHEREAS, the North Central Regional Transit District ("NCRTD") was created in 2004 by agreement between the City of Espanola, Los Alamos County, Pojoaque Pueblo, Rio Arriba County, San Ildefonso Pueblo, San Juan Pueblo, Santa Clara Pueblo, the City of Santa Fe, Santa Fe County and Tesuque Pueblo; and

WHEREAS, NCRTD Resolution 2008-14 states that "in order to create a truly effective and efficient regional transit system that cooperatively and equitably serves north central New Mexico, the NCRTD believes that the City of Santa Fe should be a member of the District"; and

WHEREAS, as a result of City of Santa Fe Resolution 2008-87, the City of Santa Fe joined the NCRTD and soon thereafter expanded City delivered transit services to provide connecting

transportation to and from the Rail Runner, through funding made available by the NCRTD; and

WHEREAS, the City's expanded services include:

- Santa Fe Trails Route 22, serving the New Mexico 599 Rail Runner station as well as Rancho Viejo and Santa Fe Community College;
- Santa Fe Trails Routes 2 and 4, serving inbound and outbound Rail Runner trains at South Capitol station;
- Additional enhanced, or "special service", provided to accommodate visitors and residents alike, and meet increased demand for Rail Runner transfers, on Folk Art Market, Spanish Market, and Indian Market weekends, as well as annual community celebrations of Zozobra and the Canyon Road Farolito Walk; and

WHEREAS, the existing services provided by Santa Fe Trails have been deemed to meet the definition of regional services as adopted by the NCRTD Board and incorporated into its financial policies as amended on November 4, 2011 by Board Resolution No. 2011-10; and

WHEREAS, the NCRTD has identified funding in their FY2016 budget proposal to keep the aforementioned regional services, operated by the City, funded and running through FY2016; and

WHEREAS, the NCRTD will reimburse the City for said regional transit services, upon receipt of invoices for service delivered, up to a FY2016 total of $966,490.00.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the Governing Body hereby endorses the proposed FY2016 NCRTD budget that continues to fund regional transit services, as identified above, that the City of Santa Fe currently provides on behalf of the NCRTD, and that the aforementioned routes compose and are approved as the City of Santa Fe Regional Transit Plan for FY2016, and upon approval by the NCRTD Board of Directors, is incorporated in the NCRTD service plan.

PASSED, APPROVED, and ADOPTED this 24th day of June, 2015.

JAVIER M. GONZALES, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

KELLEY A. BRENNAN, CITY ATTORNEY

M/Legislation/Resolutions 2015/2015-59 NCRTD Transit Plan

Los Alamos County (LAC) FY16 Service Plan
Submitted to the North Central Regional Transit District (NCRTD) for the Distribution of Transit Gross Receipts Tax

Submitted Tuesday, June 16, 2015

Continuation of Existing NCRTD Funded Routes		**FY16 Cost Estimates**
AM & PM Peak Services (Park & Ride & White Rock Linked)	$	581,162
Note: Adds a second trip per hour to Routes 3, 4, 5, & 6 during Peak AM & PM commute times, for a total of 30 extra transit runs per day.		
Late Night Dial-a-Ride Service - Connects to NM Park and Ride	$	66,592
Route 2 Los Alamos to White Rock (Park & Ride, Wt Rock, NCRTD Linked)	$	693,163
Route 11 Afternoon Express (White Rock to Los Alamos)	$	55,453
Continuation of Existing NCRTD Routes:	**$**	**1,396,370**
LAC FY16 Billable Capital		
A combination of Local Share of Grant Capital Awards (Vehicles, Bus Shelters & Bus Stops, ITS System), Upgrades to Existing Bus Camera System, & Bus Shelters/Bus Stop Improvements	**$**	**250,000**
FY16 ESTIMATED BILLABLE:	**$**	**1,646,370**
FY16 NCRTD GRT BUDGETED FOR LAC:	$	1,380,700
Estimated Amount Underfunded in FY16:	$	(265,670)

Notes: Cost of routes and capital listed are estimates. Routes will be billed on a quarterly basis using the Allocated Cost Method, which allocates actual expenses by actual miles, hours, and vehicles. Actual costs of capital will be billed on a quarterly basis.

MEMORANDUM OF UNDERSTANDING
BETWEEN
SANTA FE COUNTY AND
NORTH CENTRAL REGIONAL TRANSIT DISTRICT

This **MEMORANDUM OF UNDERSTANDING** ("MOU") is entered into by and between **Santa Fe County ("County")** and the **North Central Regional Transit District** ("NCRTD").

RECITALS

WHEREAS, the NCRTD is a political subdivision of the State of New Mexico; and

WHEREAS, the County is a political subdivision of the State of New Mexico and a member of the NCRTD; and

WHEREAS, the NCRTD is authorized to finance, construct, operate, maintain, and promote an efficient, sustainable, and multi-modal transportation system subject to compliance with the Regional Transit District Act, NMSA 1978, Chapter 73, Article 25 ("Act"); and

WHEREAS, NCRTD does not have sufficient funds to operate any new or additional routes at present without financial contribution and support beyond the NCRTD's current revenues; and

WHEREAS, County wishes to provide some of the required funding to develop and operate a new route in Santa Fe County named the "Mountain Trail Route", which is proposed to provide service from the City of Santa Fe to the Ski Santa Fe, with stops along the route; and

WHEREAS, the NCRTD wishes to operate the Mountain Trail Route as a "premium" service which requires funding from parties other than the NCRTD and its members; and

WHEREAS, the parties mutually acknowledge that the Mountain Trail Route is only being funded for one year on a trial basis; and

WHEREAS, the NCRTD and County agree to expend resources in fiscal year 2016 and 2017 (FY16 & FY17) to test the viability of the Mountain Trail Route as further set forth herein.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, including mutual covenants between the parties hereto the receipt of which is acknowledged, the parties do hereby agree as

follows:

A. PURPOSE.

The purpose of this MOU is to provide Twenty Five Thousand One Hundred Seventy Two Dollars and No Cents ($25,172.00) no later than August 31, 2015, to the NCRTD as the County's contribution to the funding of the proposed Mountain Trail Route.

B. SCOPE OF MOU.

1. County agrees to provide to the NCRTD Twenty Five Thousand One Hundred Seventy Two Dollars and No Cents ($25,172.00); provided, however, that the County's obligation to contribute these funds is contingent upon the following occurring no later than August 31, 2015:

a. The County Manager's receipt of a final pro forma budget and service schedule for the Mountain Trail Route; and

b. The County Manager's receipt of documentation sufficient to establish that the non-fare revenue reflected in the final pro forma budget has been received or is the subject of a binding commitment.

2. The NCRTD agrees to utilize the funds provided under this MOU solely for the purposes of developing and implementing (on a trial basis) the proposed Mountain Trail Route.

3. The NCRTD currently proposes to develop and implement transit services for a Winter Season (October, 2015 – March, 2016) and Summer Season (July, 2016 – August, 2016) with 7-day a week service. However, nothing herein shall limit the NCRTD's ability, in its sole discretion, to amend the routes, dates of operation, hours of operation, or service levels depending on the availability of funding, the viability and safety of the Mountain Trail Route, and other criteria that the NCRTD may use in testing the viability of the Mountain Trail Route during its trial; provided, however, that NCRTD shall provide the County with 15 days' advance written notice of any such changes, in accordance with Section K of this MOU.

4. The NCRTD agrees to make best efforts to implement the Mountain Trail Route but the parties acknowledge that the development and implementation of the route will depend on revenues in excess of those covered by this Agreement. Neither party shall be obligated to

appropriate or expend funds on the Mountain Trail Route unless properly budgeted and approved by their respective governing bodies. Any and all services by the NCRTD shall be contingent upon sufficient funding.

5. The NCRTD agrees to strictly account for all the funds received under this MOU and to allow the audit of its books by the County or its independent auditor upon reasonable notice and during normal business hours to ensure such compliance.

C. COSTS.

All costs of the parties in implementing this MOU shall be borne by the respective parties.

D. TERM AND EFFECTIVE DATE.

This MOU shall be effective upon execution by both parties and shall expire on September 30, 2016, unless earlier terminated pursuant to Paragraph E of this MOU. Payment of the amounts due under this MOU shall be made promptly after satisfaction of the conditions set forth in Section B(1)(a)-(b).

E. TERMINATION.

This MOU may be terminated by either of the parties hereto upon written notice delivered to the other party at least thirty (30) days prior to the intended date of termination. Upon termination, any funds contributed by the County under this MOU that remain unmatched by federal grants or unexpended, shall be returned by the NCRTD to the County.

F. LIABILITY.

Each party shall be solely responsible for fiscal or other sanctions occasioned as a result of its own violation of requirements applicable to the performance of this MOU. Each party shall be liable for its own actions or inactions in accordance with state law and nothing herein shall be deemed a waiver of immunity, an agreement to indemnify the other party, or to create or effect liabilities between the parties.

G. THIRD-PARTY BENEFICIARIES.

By entering into the MOU, the parties do not intend to create in the public, or any member thereof, a third party beneficiary or to authorize anyone not a party to the MOU to maintain a suit

for wrongful death, bodily and/or personal injury to persons, damage to property, and/or any other claim(s) whatsoever pursuant to the provisions of this MOU. No person shall have any right, title or interest under this MOU or be entitled to seek to enforce this MOU as a third party beneficiary of this MOU.

H. NEW MEXICO TORT CLAIMS ACT.

By entering into this MOU, neither party shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this MOU. Any liability incurred in connection with this MOU is subject to the immunities and limitations of the New Mexico Tort Claims Act, Sections 41-4-1, et seq., NMSA (1978). This paragraph is intended only to define the liabilities between the parties hereto and it is not intended to modify, in any way, the parties' liabilities as governed by common law or the New Mexico Tort Claims Act. No provision in this MOU modifies and/or waives any provision of the New Mexico Tort Claims Act.

I. WRITTEN AMENDMENTS REQUIRED.

This MOU shall not be altered, changed or modified except by an amendment in writing executed by the parties hereto.

J. SEVERABILITY.

In the event that any of the items or provisions herein are found to be in conflict with any applicable statute or rule of law or are otherwise held to be invalid, then such provision shall be deemed inoperative to the extent of such conflict or invalidity, and the remainder of the provisions shall, to the extent possible, remain in full force and effect.

K. NOTICES.

Any notices required to be given pursuant to this MOU shall be in writing and served by personal delivery or by mail, postage prepaid, to the parties at the following addresses:

County:

Katherine Miller, County Manager
Santa Fe County
102 Grant Avenue
Santa Fe, New Mexico 87504

NCRTD:

Anthony Mortillaro, Executive Director
North Central Regional Transit District
1327 North Riverside Drive
Espanola, New Mexico 87532

Notices sent by mail as provided in this section shall be deemed to have been given/received five (5) calendar days after mailing. A party may change the person to whom or address to which notices shall be sent by providing the other party with written notice of such change as provided in this paragraph.

L. AUTHORIZATION.

The parties warrant that each signatory to this MOU has the appropriate authority and is authorized to execute this MOU on behalf of its respective party.

M. MERGER AND INTEGRATION CLAUSE.

This MOU contains the entire agreement of the parties with respect to the subject matter hereof. This MOU supersedes any prior agreements, understandings, or negotiations, whether written or oral.

N. SOURCE OF COUNTY CONTRIBUTION.

The County's $25,172.00 in funding under this MOU shall come from funds budgeted in Fiscal Year 2015 for economic development purposes.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Understanding on the dates set forth below.

SANTA FE COUNTY

BY: _____
ROBERT A. ANAYA, CHAIR
BOARD OF COUNTY COMMISSIONERS

ATTEST:

Geraldine Salazar
GERALDINE SALAZAR, COUNTY CLERK

6-2-2015

Approved as to form:

_____
GREGORY S. SHAFFER, COUNTY ATTORNEY

FINANCE DEPARTMENT

Carole H. Jaramillo

CAROLE H. JARAMILLO
FINANCE DIRECTOR

NORTH CENTRAL REGIONAL TRANSIT DISTRICT

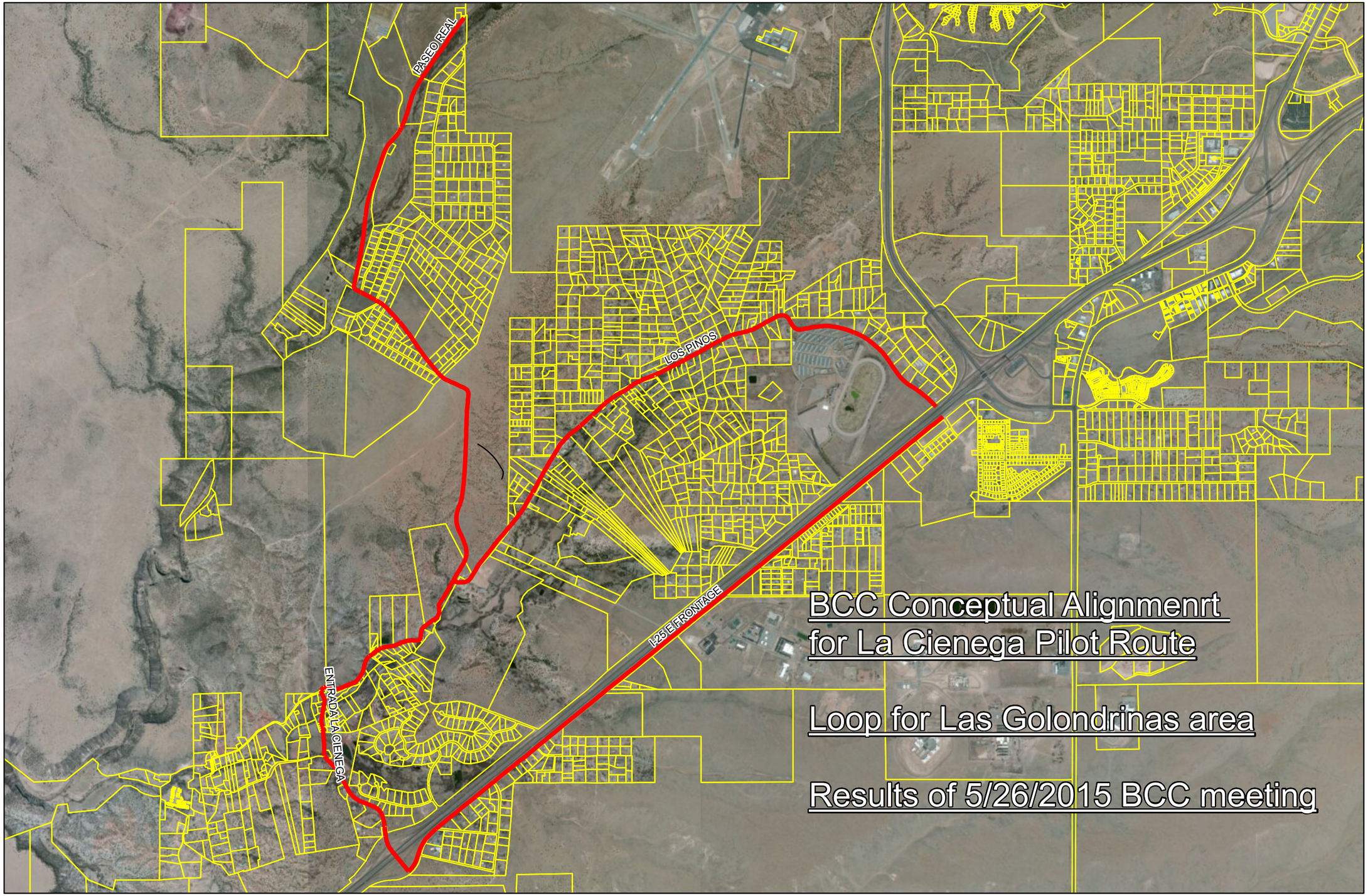
BY: _____ 5-18-2015

DANIEL BARRONE — DATE
NCRTD CHAIR

Approved as to form:

_____

PETER. A. DWYER, NCRTD ATTORNEY



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5/28/2015

SANTA FE COUNTY

This information is for reference only. Santa Fe County assumes no liability for errors associated with the use of these data. Users are solely responsible for confirming data accuracy.